

IN THE SENATE OF THE UNITED STATES.

MAY 23, 1860.—Ordered to be printed.

Mr. CRITTENDEN submitted the following

REPORT.

*The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Israel Honeywell, deceased, for compensation for property destroyed by the enemy during the revolutionary war, have had the same under consideration, and report :*

That it appears the said Honeywell was an officer in the American service, and owned a farm in the county of Westchester, State of New York, on which was a dwelling-house, barn, and cider-mill house; that this dwelling-house, the enemy being in the vicinity, was occupied as outpost of the American forces, by a picket-guard, during a portion of the years 1776 and 1778, and occasionally afterwards, till its destruction in 1778, when the house and other buildings were burned by a partisan corps of the enemy, as the petition alleges, and in consequence of its having been occupied, as aforesaid, by said picket-guard. It does not appear that the house was fortified for defense, but was simply used by said guard for shelter and accommodation.

There is no positive *proof* that the burning was in consequence of such occupation. That must be regarded as a mere inference. Nor is the proof altogether satisfactory that the enemy found any picket-guard, or anybody else, in the occupancy of the house, when they approached to destroy it.

This claim appears to have been first presented to the House of Representatives in 1838, sixty years after the injury complained of. A favorable report was then made upon it by a committee; but no relief was granted by the House. In 1842 the claim was presented to the Senate, and upon a reference to a committee they reported against it, and recommended that it ought to be rejected; and the Senate concurred in the resolution to that effect.

We refer to the able report made on that occasion, and do not think it necessary to repeat the more enlarged and particular statement and view of the case there presented.

It is now eighty-two years since this claim, resting entirely on parol evidence, originated.

Under all the circumstances, the committee report for the concurrence of the Senate the following resolution:

*Resolved by the Senate, That the prayer of the petitioners be rejected.*

